J. F 4-1895

G. R. S. IX-5]

Previous references.

~~191~~ . 1870-6

(Courts)

File No. 6 - 1895

Serial Nos. 1-2

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-2

~~Major~~ **Part B for** Jany 1896

SUBJECT.

Memorial of prisoner Gidda under sentence of death to H.H. the Maharaja of Mysore.

1-2

W D 88—GPB—50,000—24-7-16

Countermarked

MATTER FOR COUNC

I

SUBJECT.

Memorial addressed to Her Highness the Maharani Regent by Prisoner Gidda under sentence of death passed and confirmed in Criminal Appeal Case No 113/3 of 1894-95

Circulated to Councillors.

18/12/95 — J Ramaswamy Gr

	Date of Receipt.	Date when passed on.
Rajadharma Pravina, T.R.A.Thumboo Chetty, Esq., C.I.E.	16/12/95	16/12/95
P. N. Krishna Murti, Esq.	18/12/95	18/12/95
Khan Bahadur Abdul Rahman, Esq....	19-12-95	19-12-95
The Dewan		

Read 21/12/95

V

Subd to H H
27 Dec 95 by

I have read the
records very
carefully. and
would not advise
any interference
with the course of
the law. The offence
has been well
established and
it is of the most
primitive and
brutal kind.
[illegible] the
object of wrath
with an animal
child does not
show an advanced
order of even the
savage intellect
and setting fire
to a house is one
of the primitive
forms. There is
no extenuating
circumstance
whatever in favor
of the accused.
But he is only 22.

I considered this
Court carefully
& have come to
the conclusion that
it is not such as
ought to mitigate
the sentence.

I would humbly
advise Her Highness
not to interfere
in the sentence.

18/12/95

I see no ground whatever
to interfere.

19-12-95 Abdul Rahman

If I had decided
this case as a Judge
I should have positively
pronounced the
accused on the confessing
statements which he
has not withdrawn, in the
absence of any reliable
independent evidence

discriminate, to a
material extent and
in material particulars
the statements contained
in the withdrawn formal statements.
The 2° in inquiry, who
was an accomplice with
the accused and who
contradicted the confessions
statements of accused
in some respects, also
withdrew his depositions
before the Sessions Ct.
So that the confession
now stands on the
side and uncorroborated
confession of accused
which he has retracted

Then again the
finding is that
accused went at a
late hour in the
night to commit theft
in the house of Hollis

The committing magistrate did not believe the accused's statement as to the nature for the commission of the offence. He thought the accused must have gone to Wallis's house & cannot have had sexual intercourse with her. It is hard to believe that if that was the nature acc' would have knocked at the door cried out aloud for Wallis became out and actually rescued her from sleep. There are several unfortunate circumstances in the case if we take into consideration the confession of the acc'. Hardly as the Chief Justice pointed out believed the confession based the conviction on his own confession, the law must be allowed to take its own course. There are no extenuating circumstances at all

21. 12. 95

I have very carefully
studied this case
and can find
nothing whatever
to entitle this prisoner
to any mercy
Guilt of
Verdict upon the Memorandum
Verdict - On the other hand
the Evidence of guilt is
overwhelming
Conclusive beyond any reasonable doubt
The Crime is one of the most
of brutality & there is no
extenuating circumstances

27 Dec 95

In the Matter of a Memorial of
Gidda, Sentenced to Death in
Kadiri Sessions Case No) of 1894-95
and Confirmed by the Chief Court
in Criminal Appeal No. 113 of 1894-95

Her Highness the Maharani-Regent
has been pleased to pass the following

Order.

There are no extenuating circumstances
of any kind calling for any Commutation
of death passed upon the Memorialist
Gidda and his Memorial is accordingly
rejected

Kempanarayanaraz

4. 30/12/95

Rec'd 1.1.96
WM

(General Serial No. 30).

1895/96

OFFICE OF THE ... MYSORE

4705

4706

From

The Registrar of the
Chief Court of Mysore.

To

The ~~Chief~~ General Secretary
to the ~~Dewan~~ Govt. of Mysore.

Court 6-1895-I

Dated 9th Dec/95

Despatched 10th

Received 10/12/95 @ 4.45 P.M.

Enclosures No. two Petitions sent separately

General No. 2727

No. 123

Forwards the accompanying Memorial in Kanarese with its translation addressed to H.H. the Maharaja Regent of Mysore, by Siddu, under sentence of death -

Urgent

10/12/95

Submitted to Dewan

11/12/95

Central Jail Press, Bangalore.—25-4-94.—500.

N 2727/123. Printed Records sent separately.

2

Bangalore 9th December 1895.

From

The Registrar of the
Chief Court of Mysore.

To

The General Secretary to the
Government of Mysore,
Bangalore.

Sir,

I am directed to forward the accompanying memorial, in Kanarese, with its translation, addressed to Her Highness the Maharani-Regent of Mysore, by Gidda, under sentence of death.

2. The marginally noted records with 2 printed copies of the same including the judgment of the Chief Court, are also forwarded for reference.

3. The Superintendent of Central Jail, Bangalore, has been requested to stay the execution of the sentence

of

1. Criminal Case No. 16 of 1894-95 on the file of the General Assistant Commissioner and 1st Class Magistrate of Kadur District
1. Kadur Sessions Case No. 7 of 1894-95 on the file of the Sessions Judge of Tarikere Division.
1. Criminal Appeal No. 113 of 1894-95 on the file of the Chief Court of Mysore.
Referred Case No. 3

of death, pending the disposal of the said Memorial.

I have the honor to be,
Sir,
Your most obedient Servant,
Wm. A. Rat na Mud
Registrar

46

ಕೆಲಸಗಾರ ಶಿಬಿರಗಳಲ್ಲಿ ಕೈಗೊಳ್ಳಬೇಕಾದ ಕೆಲಸಗಳ
ಕುರಿತಂತೆ ಸಲಹೆಗಳನ್ನು ಕೋರಿರುವ ಬಗ್ಗೆ-

ಕೆಲಸಗಾರ ಶಿಬಿರಗಳನ್ನು 1894-95ನೇ ಸಾಲಿನಲ್ಲಿ
ತೆರೆಯಲು ಅಪೇಕ್ಷಿಸಿರುವ ಸಂಖ್ಯೆ 113.

ಅಧಿಕೃತ ಆದೇಶ.

ಮೇಲ್ಕಂಡ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ
ಸರ್ಕಾರದ ಜ್ಞಾಪನ ಸಂಖ್ಯೆ- ಸಿಶಿಕ್ಷ- 24(3001)

ಆದೇಶ ಸಂಖ್ಯೆ: ಸಿಶಿಕ್ಷ- 24(3001)

ಕರ್ನಾಟಕ ಸರ್ಕಾರದ ಕಾರ್ಯದರ್ಶಿಗಳಾದ ಶ್ರೀ ಎಸ್. ಸುಬ್ಬಯ್ಯ ಅವರು ಕೆಲಸಗಾರ ಶಿಬಿರಗಳ ಸಂಘಟನೆಯ ಬಗ್ಗೆ ಸಲಹೆಗಳನ್ನು ಕೋರಿ ಸರ್ಕಾರದ ಜ್ಞಾಪನದಲ್ಲಿ ಕೆಲವು ಪ್ರಶ್ನೆಗಳನ್ನು ಕೇಳಿದ್ದಾರೆ. ಅವುಗಳಿಗೆ ಉತ್ತರಗಳನ್ನು ಕೊಡುವ ಮುನ್ನ ಕೆಲವು ಸಂಗತಿಗಳನ್ನು ಸ್ಪಷ್ಟಪಡಿಸಬೇಕಾಗಿದೆ. ಮೊದಲನೆಯದಾಗಿ ಈ ಶಿಬಿರಗಳು ಕೆಲಸಗಾರರಿಗೆ ಮಾತ್ರ ಸೀಮಿತವಾಗಿರಬಾರದು. ಅವುಗಳಲ್ಲಿ ಸಮಾಜದ ಎಲ್ಲ ವರ್ಗಗಳ ಜನರೂ ಭಾಗವಹಿಸಬೇಕು. ಎರಡನೆಯದಾಗಿ ಈ ಶಿಬಿರಗಳಲ್ಲಿ ಕೈಗೊಳ್ಳಬೇಕಾದ ಕೆಲಸಗಳು ಸಮಾಜದ ಎಲ್ಲ ವರ್ಗಗಳಿಗೂ ಪ್ರಯೋಜನಕಾರಿಯಾಗಿರಬೇಕು. ಮೂರನೆಯದಾಗಿ ಈ ಶಿಬಿರಗಳಲ್ಲಿ ಕೈಗೊಳ್ಳಬೇಕಾದ ಕೆಲಸಗಳು ಸಮಾಜದ ಎಲ್ಲ ವರ್ಗಗಳಿಗೂ ಪ್ರಯೋಜನಕಾರಿಯಾಗಿರಬೇಕು. ಆದರೆ

To

Her Highness the Maharani
Regent of Mysore.

The humble petition of
Qidda convict No 3001 confined
under sentence of death in the
Central Jail at Bangalore and
Appellant in Criminal appeal
No 113 of 1894-95 on the file of
the Chief Court of Mysore.

Although I did not com-
mit murder, yet through my
misfortune I was sentenced to
suffer death by the Sessions
Judge of the Nagar Division and
have been confined in the Ban-
galore Central Jail from a year.
My appeal was pending in
the Chief Court for a year and I
was hopeful that the case
would be decided in my favour
But the Chief Court have de-
cided that I am guilty and
have dismissed my appeal.
I therefore beg to submit this re-

presentation

representation to your Highness. I honestly state that I am innocent. Should however there be no fit grounds to order my release, I humbly beg that I may be given any punishment other than death so that my life may be preserved.

28/11/95. Sdl. Gidda.

As the case was tried by Mr. Dinnalachar I am unable to venture any opinion on the merits of this application.

H. Bhanjmudaya

Offg. Sessions Judge
Nagar Division

No. 7831 / 1867 dt 11-1-96

Cbb - 1895 - 2

OFFICE OF THE DEWAN OF MYSORE.

Dated Bangalore.

From

The ~~Chief~~ Secretary to the Dewan of Mysore.

To

The Registrar of the Chief Court of Mysore.

SIR,

I am directed to forward herewith for information of the Judges of the Chief Court and for communication to the prisoner Gidda undergoing sentence of death in the Bangalore Central Jail, copy of order passed by H. H. the Maharaja of Mysore on the prisoner's memorial addressed & dated 28 November 1895

2. The entire records received with your letter No. 2727/123 dated 9 December 1895, are herewith returned.

I have the honor to be

SIR,

Your most obedient servant

11-1-96

~~Chief~~ Secretary.